

# SHERIFF ACCEPTS BLAME IN JAIL WOES

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'We screwed up,' Baca tells a review panel, but he says he wants to look ahead for answers, not back.

BY ROBERT FATURECHI

Under tough questioning, Los Angeles County Sheriff Lee Baca and his top assistant Friday told a blue-ribbon panel investigating deputy abuse that they failed to uncover problems roiling the nation's largest jail system.

Baca, however, urged the commission to focus on solutions rather than dwelling on past shortcomings.

"We know we screwed up in the past," Baca told members of the county Citizens' Commission on Jail Violence. "I'm a guy that says let's go forward.... I just need this commission to understand the limits of digging up dirt that doesn't have any water going into it."

Baca's testimony marked the most extensive public questioning he has faced about his management style and knowledge of problems inside the lockups since it was revealed last year that federal authorities were investigating allegations of deputy abuse of inmates.

Sounding apologetic and testy at times, Baca complained that his underlings had kept him unaware of their concerns that deputies abused inmates and covered up misconduct.

When one commissioner  
[See Jails, A13]



**FACING TOUGH** questions about jail violence, a testy Sheriff Lee Baca accepted some responsibility but also blamed staff for keeping him in the dark.

## Baca, top aide face intense questioning

[Jails, from A1]

sought answers about a spike in use-of-force incidents at the jail, Baca interrupted: "What good does it do to talk about it now?... We can look at a lot of charts and say, 'Gee, if you saw this, why didn't you just go right into action?'"

"I'm one person and I've got a department that's full of opportunities for mistakes," he said.

At another point, Commission Counsel Richard Drooyan asked Baca: "If you're to blame, how do we hold you accountable?"

"Don't elect me!" Baca retorted to cheers from a largely supportive audience of sheriff's officials.

Baca also bristled when asked whether he was holding his command staff accountable for the problems in the jail.

"This commission is a great commission, Mr. Drooyan," Baca responded. "But you're not going to tell me how to discipline my people."

Baca was preceded in his testimony by his top assistant, Undersheriff Paul Tanaka, whom some sheriff's supervisors have blamed for fostering a culture of aggres-

sive policing. Tanaka, who has largely avoided public comment about his role in the department, also expressed frustration that he was kept in the dark about misconduct. He also said some of his critics lied about his influence on the rank-and-file deputies.

Like Baca, however, he accepted blame for some of the agency's problems.

"If I had done everything exactly as it should have been done ... and I had been 100% diligent and looked into every possible aspect of our operation, we wouldn't be here today," Tanaka said.

Some of the commissioners expressed shock about Tanaka's claims of ignorance of the jail's problems, particularly on the allegations of excessive force.

"It seems to me everybody buried their head in the sand in regard to this issue," said Commissioner Dickran M. Tevrtzian Jr. "It's very hard for a rational person to understand this."

The long-awaited hearing comes after months of testimony received by the commission, which was appointed by the Board of Supervisors to examine allegations of misconduct in the



Photographs by FRANCINE ORR, Los Angeles Times

**UNDERSHERIFF PAUL TANAKA**, whom some Sheriff's Department supervisors have blamed for fostering a culture of aggressive policing, said the extent of his influence on deputies has been exaggerated by his critics.

jails.

Over the last few months, the panel has heard from former and current sheriff's officials who have described a culture of violence in the jails.

In May, two retired sheriff's supervisors recounted instances of deputies beating prisoners, ignoring bosses, forming cliques and

engaging in off-duty misconduct. A captain, Daniel Cruz, who oversaw Men's Central Jail, has also been blamed for turning a blind eye to deputy abuse, according to several witnesses.

One retired commander, Robert Olmsted, said he went to Baca with specific concerns about out-of-control deputies in the jail but

was rebuffed.

On Friday, Baca attributed some of the problems at the jail to a personality clash between Olmsted and Cruz, who was his subordinate.

Drooyan pointed out that use-of-force incidents have dropped since public outrage over the jails grew and the sheriff instituted a task force to implement re-

forms. He asked the sheriff why he hadn't implemented those reforms sooner.

"I'm not through with this innovation process," Baca said. "When you start looking as deeply as I have, you're gonna see a lot of things."

robert.faturechi  
@latimes.com

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## State awards county \$100 million for jail expansion

BY JAMES BURGER Californian staff writer jburger@bakersfield.com

Kern County has been conditionally awarded \$100 million in state money to fund the construction of a new medium-maximum security wing at Lerdo Jail, Sheriff Donny Youngblood announced Friday afternoon.

Kern County gave up that \$100 million in June 2011 after the Board of Supervisors decided it couldn't afford the \$25 million in required matching money to secure the grant nor the \$20 million it was estimated it would cost the county to staff and run the additional jail space.

But for this new pool of so-called Assembly Bill 900 money, the state reduced the required match to at least 10 percent of the cost of the facility so Kern County applied for it. Kern knew when it passed up the first round of funding that it could apply for this second one.

Youngblood was chairman of the state executive steering committee that recommended, in March, that the Correction Standards Authority fund 19 of the 20 counties asking for Phase 2 AB 900 money.

On Thursday, the Board of State and Community Corrections, the successor to the CSA, conditionally awarded the \$100 million to Kern. The Kern County Board of Supervisors would have to vote to accept the funding.

But when they vote to accept the \$100 million, Youngblood said, they will be committing to building a jail facility for which he does not yet have a concrete final cost. The county will need to find funding for any difference between the construction cost of the facility and the \$100 million grant.

Youngblood said he hopes to have a firm estimate of that full jail expansion cost to share with the board before they vote on the grant.

He plans to bring the proposal to the board in the next 30 days. Construction would take at least four years to complete.

The jail building is planned to contain 576 beds for inmates, 128 beds for inmates with mental health issues, seven medical care beds and 15 suicide watch beds.

Kern County Mental Health Director James Waterman said the mental health beds will replace a hodge-podge of beds at Lerdo's maximum facility, the infirmary and the central receiving facility that are used to house inmates with immediate mental illness issues.

Youngblood said 30 percent of the jail population have mental illness.

The dedicated jail beds, Waterman said, will make serving that population much more efficient.

Youngblood acknowledged that the county must begin to focus on reducing the rate at which inmates reoffend.

"Let's build a jail," Waterman said, "and figure out how to keep people out of it."

Youngblood said the new jail would require a substantial amount of money to run.

The hope is that, in the short term, it will be less than the \$20 million estimate Sheriff's officials came up with during the initial round of the grant process.

Youngblood said he would try to reduce costs by closing some of Lerdo's 22 minimum-security barracks and shifting staff to the newly-constructed facility as a temporary measure to control costs.

He said the expansion is critical to handling the increase in inmates resulting from the state shifting responsibility for incarcerating non-sexual, non-violent, non-serious inmates to counties.

The state's move also helped it comply with rulings in federal lawsuits that found the state was jeopardizing inmate's health in cramped, inadequate facilities.

Youngblood said Kern County risks putting itself in the path of the same legal claims if it doesn't build the new jail.

The new Lerdo Jail facility would include 135 new beds dedicated to inmates with medical or mental health needs.

He acknowledged criticism of his decision not to move county inmates into empty community correctional facilities run by the cities of Taft, Shafter and Delano.

But his critics are, he said, "not the sheriff. I am. I will do what I think is right."

He is focusing on the demand for high-security space that would be provided by the new jail.

"We don't need new minimum beds," Youngblood said. "You cannot take the gang members we have today and put them in minimum facility and say, 'You guys just get along.'"

"We understand that it is ultimately up to the Sheriff how to run his department," said Jenifer Pitcher of the Kern Citizens for Sustainable Growth. "We don't think the more cost effective option has been given much attention."

Nobody has asked the CCFs, she said, to explain what it would cost to retrofit their facilities to house the medium-security inmates that Youngblood is looking to place.

The group has asked supervisors to do a cost analysis of retrofitting the CCFs to see if it would be cheaper, Pitcher said.

Youngblood said the CCFs are too expensive -- they would cost the county more than twice the amount he's been given to handle state

Sixty days ago, Youngblood said, he had about 400 inmates eligible to be kept in a CCF that were housed at Lerdo. Now he has 169 CCF-eligible inmates at Lerdo.

About 1,000 such inmates are out on electronic monitoring, sheriff's parole or some other form of alternative incarceration.

He said his critics often question why he can't use the money from AB 900 to fund anything other than a new jail.

"The \$100 million grant cannot be used to rebuild anything. It cannot be put into CCFs," Youngblood said. "You can't use that money for anything but new construction."

Shafter City Manager John Guinn said he understands Youngblood's justification for not pursuing contracts with CCF facilities and said it is more logical for Los Angeles County, which "has far more of those lower level inmates than Kern County does" to develop relationships with facilities like the one he runs in Shafter.

But he pointed out that, at a price of \$100 million, building the new facility at Lerdo Jail will cost \$125,000 a bed.

Taxpayers, Guinn said, should be questioning how the state got them into a situation where a bed for a criminal costs about the same as a home for a family.

"It does cost too much to incarcerate people. We've found ourselves in this situation where we can't afford to protect ourselves. There need to be answers for that," he said.